

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
BRAINWAVE SCIENCE, INC.

Plaintiff,

- against -

21-cv-4402 (BMC)

**ORDER TO SHOW CAUSE FOR  
A TEMPORARY INJUNCTION**

ARSHEE, INC., DR. LAWRENCE A.  
FARWELL, DR. THIERRY MAISON and  
BRAIN FINGERPRINTING FOUNDATION

Defendants.

----- X

Upon the Summons and Complaint, filed August 5, 2021, the supporting Declaration of Krishna Ika, and the exhibits annexed thereto, and Memorandum of Law of Plaintiff Brainwave Science, Inc. in Support of its Motion for a Temporary Injunction and pursuant to Federal Rule of Civil Procedure 65, it is hereby:

ORDERED that Defendants show cause before this Court on November\_\_\_\_, 2021 at \_\_\_\_\_ why this Court should not issue an Order, as preliminary injunctive relief,

1. Directing Defendants to immediately return to Plaintiff all originals and copies now in their possession, custody or control of all documents and electronic records reflecting or containing confidential or proprietary information of Plaintiff;

2. Directing Defendants to immediately disclose to Plaintiff the names and contact information of all persons and entities with whom Defendants have disclosed Plaintiff's confidential or proprietary information;
3. Directing Defendants to take any and all commercially-practicable actions to recall any software embodying Plaintiff's confidential or proprietary information from third parties and
4. Directing that, prior to demonstrating, selling or transferring any P300-related software, Defendants obtain, at Plaintiff's expense, and provide to Plaintiff independent third-party confirmation that the software does not include or embody Plaintiff's confidential information.

IT IS FURTHER ORDERED, that service of a copy of this Order and the papers on which it is based upon Defendants' Counsel of record by email before 5:00 p.m. on November 8, 2021 shall be deemed good and sufficient service; and

IT IS FURTHER ORDERED, that answering affidavits, if any, must be served by email upon Plaintiff's attorney of record in this action by email no later than \_\_\_\_\_ a.m./p.m. on November \_\_\_\_, 2021 and that reply affidavits, if any, must be served by email upon Defendants' counsel of record, no later than \_\_\_\_\_ a.m./p.m. on November \_\_, 2021.

SO ORDERED:

\_\_\_\_\_

Hon. Brian Cogan  
United States District Judge, E.D.N.Y  
Dated: \_\_\_\_\_